

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HUNTER DOUGLAS METALS, INC.,)	
)	
Plaintiff,)	Case Number 07 C 6671
)	
v.)	Judge Guzman
)	
IMASA INDUSTRIA MEXICANA DEL)	Magistrate Judge Mason
ALUMINIO, S.A. DE C.V.)	
)	
Defendant.)	

JOINT REPORT IN ADVANCE OF INITIAL STATUS HEARING

Plaintiff, Hunter Douglas Metals, Inc. (“Hunter Douglas” or “Plaintiff”), and Defendant, Industria Mexicana Del Aluminio, S.A. de C.V. (“IMASA” or “Defendant”),¹ by and through their undersigned attorneys and pursuant to Rule 26(f) and the Court’s Case Management Procedures, met to discuss the case and hereby submit this Joint Report In Advance Of Initial Status Hearing, scheduled for March 5, 2008.

I. NATURE OF CASE.

A. Attorneys of Record:

For Plaintiff:

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For Defendant:

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(Admitted *pro hac vice*)

¹ In the initial complaint, and therefore in the caption of this filing, IMASA was improperly identified. In its motion to dismiss, IMASA alerted the Court and Hunter Douglas to this fact. Hunter Douglas will correct this in the amended complaint it intends to file and asks that the Court order that the caption be corrected.

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B. Basis of Federal Jurisdiction: Diversity jurisdiction under 28 U.S.C. § 1446(d).

C. Nature Of The Claims Asserted In The Complaint And Any Counterclaims:

Hunter Douglas alleges that the parties entered into a contract for the purchase of 4,400 metric tons of aluminum scrap in multiple shipments starting in February of 2007 and ending in December of 2007 and that IMASA breached that contract in August of 2007 by stating that it would not accept any remaining shipments called for by the contract. IMASA has not, at this point, asserted any counterclaims.

D. Major Legal and Factual Issues: In response to Hunter Douglas's complaint, IMASA filed a motion to dismiss arguing that the Court lacks personal jurisdiction over it, that venue is improper, that this is not a convenient forum, that service was insufficient, and that Hunter Douglas failed to state a claim because the parties' contract is not signed and is therefore not binding or enforceable. In response to IMASA's motion, Hunter Douglas intends to amend its complaint.

E. Relief Sought: Plaintiff seeks damages resulting from the defendant's breach of contract equal to the payments remaining under the contract, which amount to damages in excess of \$800,000.

II. PENDING MOTIONS AND CASE PLAN.

A. Pending Motions: IMASA filed a Motion to Dismiss on February 6, 2008. The Court set a briefing schedule on that motion. As noted above, Hunter Douglas intends to file an

amended complaint and therefore requests that the Court vacate the briefing schedule on IMASA's current motion. IMASA does not object to the briefing schedule being vacated.

B. Proposed Discovery Plan:

a. Type of discovery needed: The parties may take discovery pursuant to Fed. Rules Civ. P. 30, 33, 34 and 36.

b. Date for Rule 26(a)(1) disclosures: March 19, 2008.

c. Fact discovery completion date: The parties estimate that fact discovery can be completed in 90 days.

d. Expert discovery completion date, including dates for delivery of expert reports: The parties do not presently anticipate the use of retained experts.

e. Date for the filing of dispositive motions: The parties currently believe that dispositive motions can be filed 30 days after the close of discovery.

f. Date for the filing of a final pretrial order: The parties suggest that the final pretrial order be due 30 days after the Court rules on any dispositive motions.

C. Trial Information:

a. Jury Request: No jury has been requested by either party.

b. Probable Length of Trial: The parties estimate the trial will be one (1) to two (2) days.

c. Date Case Will Be Ready for Trial: Not known at this time.

III. CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE.

There is no unanimous consent to proceed before a Magistrate Judge.

IV. STATUS OF SETTLEMENT DISCUSSIONS.

A. Whether Settlement Discussions Have Occurred: Settlement discussions between the parties' principals occurred prior to this case being filed and recently have been resumed.

B. Describe The Status of any Settlement Discussions: The parties are currently engaged in settlement discussions.

C. Whether the parties request a settlement conference: Depending on the course of the parties' current negotiations, they may request a settlement conference sometime in the near future.

Dated: February 29, 2008

Respectfully submitted,

HUNTER DOUGLAS METALS, INC.

INDUSTRIA MEXICANA DEL
ALUMINIO, S.A. de C.V.

By: s/Max A. Stein
One of Its Attorneys

By: s/Daniel W. Lanfear*
One of Its Attorneys

* - Permission granted for signature

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